

MAY 06 2005

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Martin Novack

Signature

Martin Novack

Date

May 6, 2005

Fax to USPTO
Group Art Unit 1725
fax 703-872-9306
(5 sheets faxed)

GJE-5825

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ian Anthony Jones and Roger Jeremy Wise

Serial No. : 09/806,613

Group : 1725

Filed : March 29, 2001

Examiner: M. Alexandra Elve

For : WELDING METHOD

LETTER SUBMITTING TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Sir:

Please charge the Terminal Disclaimer fee of \$130 to the
undersigned Counsel's Deposit Account No. 14-1435. A duplicate copy of
this sheet is sent herewith.

Applicant would like to thank Examiner Elve for the courteous
telephone discussion with the undersigned Counsel on May 4, 2005, and
to also express appreciation for the prior telephone discussion with
Supervisor Dunn and the other telephone discussions with Examiner Elve.

Since the Examiner is now apparently favorably inclined with regard

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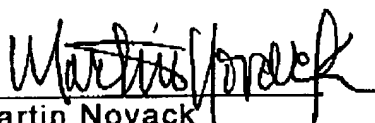
to the claims (the Examiner having noted that she could give no commitment until she finished her review of all prior art), except for the outstanding "provisional double patenting" rejection, Applicant submits herewith a Terminal Disclaimer to obviate the provisional double patenting rejection.

It is understood that the Examiner is in the process of preparing a further Office Action to supplement the previously issued "final" Action. In the event that such further Action is going to be other than an indication of allowability of all claims, Counsel respectfully requests that the Examiner telephone Counsel collect, so that any remaining issues can be resolved.

Delray Beach, Florida
Tel. (561) 498-4706
Fax. (561) 498-4027
May 6, 2005

(T-12)

Respectfully submitted,


Martin Novack
Attorney for Applicant(s)
Reg. No. 25,164

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No. : 09/806,613

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, The Welding Institute, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/666,264, filed on September 19, 2003, as such term is defined in 35 U.S.C. 154 and 173 and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees

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that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The terminal disclaimer fee of \$130 under 37 CFR 1.20(d) is paid herewith, by virtue of a Deposit Account authorization on the accompanying Letter Submitting Terminal Disclaimer.

The undersigned is an attorney of record. Registration No. 25,164.

May 6, 2005
Date

561-498-4706
Telephone number
(T-13)

Martin Novack
Signature
Martin Novack
Typed or printed name